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THE DRASKOVICH LAW GROUP  
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Attorney for Defendant Parshall

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	CASE NO: 2:20-CR-00128-KJD-BNW
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b>STIPULATION TO CONTINUE</b>
	)	<b>CALENDAR CALL AND TRIAL DATE</b>
STEPHEN T. PARSHALL,	)	(First Request)
ANDREW LYNAM, and	)	
WILLIAM L. LOOMIS,	)	
Defendants.	)	

IT IS HEREBY STIPULATED AND AGREED by and between NICHOLAS A. TRUTANICH, United States Attorney, and NICHOLAS D. DICKINSON, counsel for the United States of America; ROBERT M. DRASKOVICH, counsel for Defendant, STEPHEN T. PARSHALL, THOMAS F. PITARO, counsel for Defendant, ANDREW LYNAM, and RICHARD A. WRIGHT and MONTI LEVY, counsel for Defendant, WILLIAM L. LOOMIS, that the calendar call currently scheduled for August 18, 2020 at the hour of 9:00 a.m. and the trial currently scheduled for August 24, 2020 at 9:00 a.m. be vacated for at least ninety (90) days and set to a date and time convenient to the Court.

IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to and including October 23, 2020, to file any and all pretrial motions and notices of defense.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
2 shall have to and including November 6, 2020, to file any and all responsive pleadings.

3 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
4 shall have to and including November 13, 2020, to file any and all replies to dispositive motions.

5 This Stipulation is entered into for the following reasons:

- 6 1. Parties require additional time to review discovery in preparation for trial.
- 7 2. Parties require additional time to review the government's evidence with the Defendants
- 8 to determine whether the case should be resolved outside of trial.
- 9 3. Defendants are incarcerated and do not object to the request for continuance.
- 10 4. Denial of this request for continuance would deny counsel for the defendants
- 11 sufficient time within which to be able to effectively and thoroughly research this case,
- 12 taking into account the exercise of due diligence.
- 13 5. Additionally, denial of this request for continuance could result in a miscarriage of
- 14 justice.
- 15 6. The additional time requested by this Stipulation is excludable in computing the time
- 16 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
- 17 States Code §§ 3161(h)(7)(A), Title 18, United States Code § 3161(h)(7)(B)(i) and
- 18 3161(h)(7)(B)(iv).

19 This is the first request to continue trial date filed herein.

20 DATED this 31<sup>st</sup> day of July, 2020.

21 Robert M. Draskovich

22 /s/  
23 ROBERT M. DRASKOVICH, ESQ.  
24 Nevada Bar No. 6275  
25 Attorney for Defendant Parshall

26 NICHOLAS A. TRUTANICH  
27 UNITED STATES ATTORNEY  
28 Nicholas D. Dickinson

/s/  
NICHOLAS D. DICKINSON  
Assistant United States Attorney  
Attorney for Plaintiff

1  
2 Thomas F. Pitaro

3 /s/

4 THOMAS F. PITARO, ESQ.

5 Nevada Bar No. 1332

6 Attorney for Defendant Lynam

Richard A. Wright

/s/

RICHARD A. WRIGHT, ESQ.

Nevada Bar No. 886

MONTI LEVY, ESQ.

Nevada Bar No. 8158

Attorneys for Defendant Loomis

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	CASE NO: 2:20-CR-00128-KJD-BNW
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b><i>FINDINGS OF FACT, CONCLUSIONS</i></b>
	)	<b><i>OF LAW, AND ORDER</i></b>
STEPHEN T. PARSHALL,	)	
ANDREW LYNAM, and	)	
WILLIAM L. LOOMIS,	)	
Defendants.	)	
	)	

Based upon the pending Stipulation of counsel, and good cause appearing therefor, the Court finds:

1. Parties require additional time to review discovery in preparation for trial.
2. Parties require additional time to review the government's evidence with the Defendants to determine whether the case should be resolved outside of trial.
3. Defendants are incarcerated and do not object to the request for continuance.
4. Denial of this request for continuance would deny counsel for the defendants sufficient time within which to be able to effectively and thoroughly research this case, taking into account the exercise of due diligence.

1 5. Additionally, denial of this request for continuance could result in a miscarriage of  
2 justice.

3 6. The additional time requested by this Stipulation is excludable in computing the time  
4 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
5 States Code §§ 3161(h)(7)(A), Title 18, United States Code § 3161(h)(7)(B)(i) and  
6 3161(h)(7)(B)(iv).  
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8 For all of the above-stated reasons, the ends of justice would best be served by a  
9 continuance of the trial date.  
10

11 **CONCLUSIONS OF LAW**

12 The ends of justice served by granting said continuance outweigh the best interest of the  
13 public and the defendants in a speedy trial, since the failure to grant said continuance would be  
14 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the  
15 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into  
16 account the exercise of due diligence.  
17

18 The continuance sought herein excludable under the Speedy Trial Act, Title 18, United  
19 States Code §§ 3161(h)(7)(A), Title 18, United States Code § 3161(h)(7)(B)(i) and  
20 3161(h)(7)(B)(iv).  
21

22 **ORDER**

23 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to  
24 and including October 23, 2020, to file any and all pretrial motions and notices of defense.

25 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
26 shall have to and including November 6, 2020, to file any and all responsive pleadings.

27 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
28 shall have to and including November 13, 2020, to file any and all replies to dispositive motions.

1 IT IS HEREBY ORDERED that the calendar call currently scheduled for August 18,  
2 2020 at the hour of 9:00 a.m. be vacated and continued to \_\_\_\_\_ at the hour  
3 of \_\_\_\_\_, and the trial currently scheduled for August 24, 2020 at 9:00 a.m. be vacated  
4 and continued to \_\_\_\_\_ at the hour of \_\_\_\_\_.  
5

6 DATED AND DONE this \_\_\_\_ day of July, 2020.  
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9 \_\_\_\_\_  
10 UNITED STATES DISTRICT JUDGE

11 Respectfully Submitted By:

12 /s/ Robert M. Draskovich

13 \_\_\_\_\_  
14 Robert M. Draskovich, Esq.  
15 Nevada Bar No. 6275  
16 Attorney for Defendant Parshall  
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